


Summons	CIVIL DOCKET NO.	Trial Court of Massachusetts The Superior Court 
CASE NAME: <div style="text-align: center;"> <i>Kimberly Cole</i> Plaintiff(s) </div> VS. <div style="text-align: center;"> <i>Boston Police Dept.</i> Defendant(s) </div>		Clerk of Courts County COURT NAME & ADDRESS:

THIS SUMMONS IS DIRECTED TO The Boston Police Dept. (Defendant's name)

You are being sued. The Plaintiff(s) named above has started a lawsuit against you. A copy of the Plaintiff's Complaint filed against you is attached to this summons and the original complaint has been filed in the Court.

YOU MUST ACT PROMPTLY TO PROTECT YOUR RIGHTS.

1. You must respond to this lawsuit in writing within 20 days.

If you do not respond, the court may decide the case against you and award the Plaintiff everything asked for in the complaint. You will also lose the opportunity to tell your side of the story. You must respond to this lawsuit in writing even if you expect to resolve this matter with the Plaintiff. **If you need more time to respond, you may request an extension of time in writing from the Court.**

2. How to Respond.

To respond to this lawsuit, you must file a written to response with the court **and** mail a copy to the Plaintiff's Attorney (or the Plaintiff, if unrepresented). You can do this by:

- a) Filing your **signed original** response with the Clerk's Office for Civil Business, Court
(address), by mail or in person **AND**
- b) Delivering or mailing a **copy** of your response to the Plaintiff's Attorney/Plaintiff at the following address:

3. What to Include in Your Response.

An "Answer" is one type of response to a Complaint. Your Answer must state whether you agree or disagree with the fact(s) alleged in each paragraph of the Complaint. Some defenses, called affirmative defenses, must be stated in your Answer or you may lose your right to use them in court. If you have any claims against the Plaintiff (referred to as **counterclaims**) that are based on the same facts or transaction described in the Complaint, then you must include those claims in your Answer. Otherwise, you may lose your right to sue the Plaintiff about anything related to this lawsuit. If you want to have your case heard by a jury, you must **specifically** request a jury trial in your court no more than 10 days after sending your Answer.

11-9-2021

John J. [Signature]

9/16/21

COMMONWEALTH OF MASSACHUSETTS

J.H., ss.

SUPERIOR COURT DEPARTMENT
OF THE TRIAL COURT

CIVIL ACTION NO. 2183CV00755B

Kimberly Cole
PLAINTIFF(S) (PRINT NAME CLEARLY)

vs.

Boston Police Department
DEFENDANT(S) (PRINT NAME CLEARLY)

Negligence/Personal Injury
COMPLAINT (804/Torts)
Police Abuse on 5/31/20

PARTIES

1. Plaintiff(s) resides at 125 Royal Dane Lane #17 Abington, MA
in the County of Plymouth County Street City or Town 02357
2. Defendant(s) ^{employed} resides at The Boston Police Department / Schroeder Plaza
in the County of Suffolk County Street City or Town Roxbury, MA Crossing 02112

FACTS

3. On 31 May 2020 I was in attendance at
The Black Lives Matter peaceful protest. Due to
my disability; the group of young people I was with
agreed that we would park on Beacon Street and
stand at The Massachusetts State House rather
than walking from start point at Nubian Square.
My daughter and our (3) Family friends participated
in what started out peaceful + became violent with tear gas by
Boston Police
(see DA Rollins
investigation re
BPD Abuse at
Boston Prot

Prior to for several hours in the peaceful protest ^{I was} holding
 BPD Assault a large peace sign, talking + listening to speakers at all
 Suddenly our hands began itching + burning + a bad smell
 permeated the air. People began running + screaming to avoid
 tear gas + BPD vehicles traveling at high rates of speed. While
 running for safety, I tripped and fell in a pile of glass
 cutting my (L) hand + leg. The result was a serious personal
 injury that has required ongoing
 * Wherefore, Plaintiff demands that: Care. A surgical procedure is

(Docket # See 8/13/21 Reply in Superior Court (attached) Pending on 29 Sept. 2021
 1983 CV00540) + Court note Witness Intimidation! Incident reported to MCA on 1 June 2020.

The Court hold the law enforcement officers
 present at the Black Lives Matter protest accountable
 for causing serious, chronic + painful personal injury
 to a peaceful protester/citizen and award \$1,000,000
 (One million) to cover ongoing medical ^{care +} expenses. Also note that the
 severity of the injury ^{physically} impeded Plaintiff's ability to
 litigate (lead poisoning) claim(s) long before the court that
 are still pending Cole V. Timson; stemming from Cole V.

(Docket # 1983 CV00540) SIGNED UNDER THE PENALTIES OF PERJURY

DATE: 16 September 2021

[Signature]
 Signature of the Plaintiff(s)
 125 Royal Dane Lane #17
 Street Address
 Abington, MA 02351
 City/Town
 (781) 990-9617
 Telephone

* Plaintiff requests Court notes
 that tear gas is in violation of The
 Geneva Protocol of 1925. See Protocol
 for The Prohibition of The Use of
 Asphyxiating, Poisonous or other gases,
 + of Bacteriological methods of Warfare.
 June 17, 1925. *
 It targets the lungs +
 MAY worsen Coronavirus condition/disability.

8/13/21
S.A.

To : Brockton Superior Court
72 Belmont Street
Brockton , Ma. 02302

From : Kimberly Cole
125 Royal Dane Lane #1
Abington, Mass. 02351

Docket # 1983CV00540
Date : August 13, 2021

REPLY OPPOSITION OF PLAINTIFF ,TO DEFENDANTS OPPOSITION

This Reply of Opposition is to Defendant's Opposition Of Defendant , Christopher G. Timson , to Plaintiff's Motion For Clarification Dated July 27, 2021. The Motion to Clarify was regarding the initial Motion dated 4 April 2021. Per Superior Court Rule 9 A ; the Defendant failed to Oppose that initial Motion Dated July 27, 2021 Within 21 days after service of the Motion Papers.

Part and parcel to OMITTED DOCKET ENTRIES (See March 3, 2021 Motion to Clarify Docket Report) relate to how that Omission has created circumstances warranting either a Mistrial or Reversal of Decision rendered January 20, 2021 . No explanation in writing has yet to be provided to Plaintiff as to How and Why the omission occurred in the first place by Judge K. Brown, Conrad Boone and/ or Clerk of the Courts nor have properly allowed for an explanation to provide to the Office of Transcription Services regarding disruption and incomplete records of Transcripts.

As stated in July 20th 2021 Motion To Clarify plaintiff stated that she was awaiting the return of her voluminous filing containing original documents from the US Court Of Appeals for the 1st Circuit. Plaintiff is providing these documents with this reply as they were packaged and mailed to Plaintiff Under Affidavit of Indegincy Plaintiff was granted, Plaintiff is seeking that cost of copies for both the Court and the Defendant. As per Court Rule 9A No other reply or surreply submission shall be filed without leave of court, which will be granted only in exceptional circumstances; Plaintiff asks the court to review the motion explanation of Plaintiff health circumstances which have lead to a pending operation of September 2021 and Plaintiff will be requiring time to recover. Plaintiff asks that the Court consider the extenuating health circumstances and grant answers to these months of motions explaining all of the aforementioned as Plaintiff will be unable to address any legal concerns until after recovery. In July Motion Plaintiff noted MCAD investigations that have been ongoing through the duration of this case: Cole v. Timson. As Plaintiff filed for witness intimidation in the MCAD complaints please see below documents that are germane to these legal precedents where Plaintiff also alleges discriminations and violations of the Americans with Disabilities Act. The following (below) MCAD legal correspondence reflects on these matters. Plaintiff asks that the Court notes that Atty. Timson was referred by Julia Cole's non custodial father A. Wohl . Plaintiff alleges that the complex legal conflicts of interest were a violation of Atty. Timson's fiduciary responsibilities to his client Julia Cole.

To : Sunila Thomas George

MCAD Chairwoman and Investigation Commissioner
Massachusetts Commission Against Discrimination
One Ashburton Place
Boston, Mass. 02108

From : Kimberly Cole
125 Royal Dane #17
Abington, Mass. 02351

RE: Kimberly Cole V. Housing Solutions For Mass. , Home Properties d/b/a The Village At
Marshfield,
MCAD Docket Number 19 BPR 00656
HUD Federal Charge Number : 01-19-1760-8

Dear Sunila Thomas-George

I am writing to you today to request that you reconsider the "lack of probable cause " on the above MCAD Investigation due to numerous facts that have been presented to HUD/ MCAD since I filed this Complaint with HUD (Lucy Allen) who referred to MCAD (Deborah A'vant, Joan Beron, Eric Bove and others at MCAD). In addition to Cat Fees that violated Mass. Laws and ADA Law; I experienced serious bodily injury from a nail sticking out of a door at Fox Run, , a lead paint coated Playground at The Village (that was reported to all interested parties), Privacy Violations at the hands of Fox Run Office Staff (who told my abusive Ex A. Wohl , Julia's Father , Private information about our lives over the phone which I documented in Court Proceedings with Probate and Family Court) , an erroneous and Retaliatory Eviction, damage to my then Nissan Motor Vehicle by a Fox Run employee; reported to Marshfield Police; photos provided to MCAD. The aforementioned tortious conduct of both The Village and Housing Solutions are matters of Tort and Impacts other people as well. These are Matters of Public Trust and I ask that you please examine the findings of this case that has been mishandled and extended far beyond the 100 days MCAD has to Investigate. As Coronavirus has presented the world with unprecedented issues, I maintain that the disruptions to MCAD Employers has allowed for serious matters in my case to be overlooked. All of the emails that I have sent to MCAD with Attachments (many photos) were unfortunately not addressed and due to ongoing severe bilateral cataracts , an injury sustained to my hand by Boston police at The Black Lives Matter Protest on 31 May 2020 , and Complaints of Sexual Harassment against Marshfield PD and Fire depts , and socioeconomic circumstances I have been unable to follow up in a manner that was necessary for Appeals. However, I am deeply concerned that if you do not reconsider Appeal to the Retaliation piece; that the aforementioned Matters of Public trust would allow for much more societal Injustice to occur to many.

I also ask that Mr. Perez and Mr. Montgomery (MCAD Investigators) be contacted as the entirety of the Discriminatory circumstances I have informed MCAD about are all connected to the (2) other MCAD Complaints filed that I wait responses about. I would be remiss not to mention that I have had Superior / Federal Lawsuits regarding my Families Lead Poisoning due to errors by the Mass CLPPP in 2003 in an Abington, Ma. rental. These matters were referred to by Housing Solutions RFTA Agent Michelle Santos who also egregiously slandered me to a Moving Company during my move from Fox Run to Royal Dane Lane(due to Home Properties tortious conduct mentioned above and in Complaint emails).

Regarding Settlement matters, I think it's advisable that in the case of a constituents Complaints to MCAD (and particularly if they are Disabled people) that State Agencies ought to be able to advise Complaintents if Settlements would impact Social security and / Housing Vouchers. I say this because we surely would not wish to settle matters of Injustice only to create matters of financial hardship issues ie: home and food insecurity , lowered benefits that are SSDI's money for Living expenses by Settlements that are meant to provide justice !

Lastly prior to the Conciliation Conference on August 5, 2021 it is my hope that you and all of the MCAD investigators that have worked on this case throughout the last two and a half years consider strongly the Fair Housing Act and American with Disabilities Act that should in fact be protecting complainants like myself from investigative defaults due to not all matters being considered in a timely fashion and in accordance with the aforementioned Acts . Please review email attachments and two other complaints to Mr. Montgomery and Mr. Perez and reconsider. I was unable to respond to your April 26 2021 order as I just had a procedure done to the injury sustained at the protest mentioned above to my hand and the extremely painful recovery did not allow for me to do so.

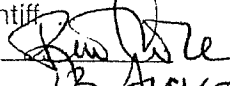
Thank You for your prompt attention with these matters of great import.

Sincerely, Kim Cole "

Plaintiff has numerous , ongoing, serious medical issues; inclusive of bilateral cataracts, that makes continuing to address these court documents (with severe vision limitations and hand injury) nearly impossible . In the absence of counsel and visual assistance a ruling against Plaintiff would be in and of itself a violation of ADA .§36.102 . The Court is asked to rule on all Motions and Dismiss Atty David Grossbaums Opposition of Defendant and rule in favor of Pro Se Plaintiff.

Signed

Dated

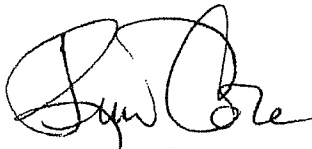

13 August 2021

CERTIFICATE OF SERVICE

I, Kimberly Cole , Pro Se Plaintiff certify that I have sent a copy of this MOTION to Attorney David Grossbaum Esq. Hinshaw and Culbertson LLP 53 State Street 27th floor Boston, Mass. 02109

Signed :

Dated:


13 August 2021

9/16/21

CIVIL ACTION COVER SHEET	DOCKET NUMBER 2183CV00755 B	Trial Court of Massachusetts The Superior Court
PLAINTIFF(S): <u>Kimberly Cole</u>	COUNTY: <u>Plymouth</u>	
ADDRESS: <u>125 Royal Dane Lane #17</u> <u>Abington, MA 02351</u>	DEFENDANT(S): <u>The Boston Police Department</u> <u>1 Schroeder Plaza</u> <u>Roxbury Crossing,</u> <u>MA 02120</u>	
ATTORNEY: <u>Pro Se</u>		
ADDRESS: <u>(above)</u>		
BBO: <u>N/A</u>		
TYPE OF ACTION AND TRACK DESIGNATION (see reverse side)		
CODE NO. <u>B04</u>	TYPE OF ACTION (specify) <u>TR (Tort) Personal Injury</u>	TRACK <u>E</u>
HAS A JURY CLAIM BEEN MADE?		<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
*If "Other" please describe:		
Is there a claim under G.L. c. 93A? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO Is this a class action under Mass. R. Civ. P. 23? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
STATEMENT OF DAMAGES PURSUANT TO G.L. c. 212, § 3A		
The following is a full, itemized and detailed statement of the facts on which the undersigned plaintiff or plaintiff's counsel relies to determine money damages. For this form, disregard double or treble damage claims; indicate single damages only.		
TORT CLAIMS (attach additional sheets as necessary)		
A. Documented medical expenses to date:		
1. Total hospital expenses		\$ <u>?</u>
2. Total doctor expenses		\$
3. Total chiropractic expenses		\$
4. Total physical therapy expenses		\$
5. Total other expenses (describe below)		\$
Subtotal (A):		\$
B. Documented lost wages and compensation to date		
C. Documented property damages to date		
D. Reasonably anticipated future medical and hospital expenses		
E. Reasonably anticipated lost wages		
F. Other documented items of damages (describe below)		
Total		\$
*yet to be determined		\$
G. Briefly describe plaintiff's injury, including the nature and extent of injury:		
<u>Cut, rash, scarring + hyperesthesia of injury to @ hand.</u> <u>Diagnosis of Dupuytren's contracture disease of @ hand</u> <u>and pending excision procedure on 24 Sept. 2021. Mental</u> <u>anguish, pain + suffering due to open wound on @ hand. Surgery pending 9/29/2021.</u>		
CONTRACT CLAIMS (attach additional sheets as necessary)		
<input type="checkbox"/> This action includes a claim involving collection of a debt incurred pursuant to a revolving credit agreement. Mass. R. Civ. P. 8.1(a). Provide a detailed description of claim(s):		
TOTAL: \$		
Signature of Attorney/ Unrepresented Plaintiff: X <u>Kim Cole</u>		Date: <u>16 Sept. 2021</u>
RELATED ACTIONS: Please provide the case number, case name, and county of any related actions pending in the Superior Court		
<u>Ma. Commission Against Discrimination Docket # 19 BPR00656</u> <u>HUD Federal Charge # 01-19-1760-8</u> <u>Docket # 19CV20140</u> <u>#1933CV008</u>		
CERTIFICATION PURSUANT TO SJC RULE 1:18		
I hereby certify that I have complied with requirements of Rule 5 of the Supreme Judicial Court Uniform Rules on Dispute Resolution (SJC Rule 1:18) requiring that I provide my clients with information about court-connected dispute resolution services and discuss with them the advantages and disadvantages of the various methods of dispute resolution.		
Signature of Attorney of Record: X		Date: